

LISTING OF THE CLAIMS

Claims 1-98 (cancelled)

99. (currently amended) A pharmaceutical formulation comprising a crystalline form of nateglinide characterized by an XRPD pattern with peaks at 4.7, 7.4, 13.8 and 17.0+/-0.2 theta, wherein the crystalline form is substantially free of a peak at 3.8+/-0.2 theta ~~the crystalline form of claim 97 or 98~~ and a pharmaceutically acceptable excipient.

Claims 100-102 (cancelled)

103. (new) A pharmaceutical formulation comprising a crystalline form of nateglinide characterized by an XRPD pattern as substantially depicted in a figure selected from the group consisting of figure 65, figure 66, figure 67 and figure 68 and a pharmaceutically acceptable excipient.

104. (new)The pharmaceutical formulation of claim 103, wherein the XRPD figure is figure 65.

105. (new)The pharmaceutical formulation of claim 103, wherein the XRPD figure is figure 66.

106. (new)The pharmaceutical formulation of claim 103, wherein the XRPD figure is figure 67.

107. (new)The pharmaceutical formulation of claim 103, wherein the XRPD figure is figure 68.